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TAGS: [ASEC](#) [PGOV](#) [PREL](#) [KPKO](#) [SOCI](#) [AU](#) [UNSC](#) [SU](#)  
SUBJECT: UN, DONORS, NGOS SCRAMBLE TO KEEP UP WITH SLOWLY  
DETERIORATING SITUATION

REF: A) KHARTOUM 365  
B) KHARTOUM 339  
C) KHARTOUM 334  
D) KHARTOUM 362

11. (SBU) Summary: United Nations Deputy Special Representative of the Secretary General (D/SRSG) Ameerah Haq and members of the INGO Steering Committee (INGO-SC) briefed donors over the past two days on the status of INGO expulsions and efforts to address the humanitarian crisis in Darfur. This was occurring even as the Government of Sudan was taking its rhetoric one step further and calling for all international relief efforts in Sudan to cease within a year (Ref A). Regardless of whether the announcement by the regime is rhetoric or reality, it forces the international community to take a hard look at what assistance may be possible in the current context. End summary.

12. (SBU) At a briefing for donors on March 15, the INGO-SC outlined four scenarios for those INGOs that continue to operate in Sudan: 1) further expulsions; 2) INGOs leave voluntarily; 3) INGOs continue with life-saving activities and scale up emergency response; 4) INGOs expand programs to fill the gap created by departure of expelled INGOs, which would include non-life-saving activities. The INGOs feel that they are somewhere between scenarios 2 and 4, and where they end up will depend both on GoS provision of confidence-building measures as well as donor indications of future parameters for funding. After the INGO representatives left the meeting, all of the major donors confirmed a wait-and-see approach, pending the results of the joint UN-GoS assessment in Darfur that will conclude later this week. They also expressed an unwillingness to request and/or program new funds as well as skepticism regarding the capacity and humanitarian commitment of national NGOs put forward by the GoS as gap-fillers.

13. (SBU) At a briefing on March 16, D/SRSG Haq told donors that while the UN has been pursuing a three-track approach (Ref C), the GoS' intransigence on reversing the NGO expulsions and its escalating rhetoric are forcing the UN to abandon track 1 (reversing expulsions) sooner than anticipated and postpone track 3 (shaping the assistance environment in future) to focus on track 2 (identifying immediate humanitarian needs in Darfur and elsewhere.) Donors reiterated to D/SRSG that any decisions made by the GoS and UN on track 2 options will ultimately have to meet with donor consent if their funds are to be used to fill gaps.

14. (SBU) While awaiting the results of the UN-GoS joint assessments, UN agency heads told donors that, thus far, no crises have emerged in food and water provision for IDPs in Darfur. WFP reported that shortages will start to emerge in the next two months once the emergency two-month food ration is used up, if the distribution network is not restored. UNICEF stated that immediate water needs are being met, albeit through hand pumps rather than motorized

pumps, but a delayed impact will be seen in sanitation and hygiene promotion. [Note: In CDA Fernandez's meeting with desperate, newly arrived IDPs in Zam Zam camp on March 16, the IDPs consistently complained about the lack of water, saying they were thirsty. In a meeting with Embassy/USAID, UN-AU Joint Special Representative Rodolphe Adada mentioned that UNAMID was asked by the government to assist with providing water for the newly-arrived IDPs in Zam Zam. UNAMID provided water for the new IDPs by water bladder but evidently not enough. End Note.] WHO reported that remaining medical stocks in clinics serving IDPs will likely last 2-3 weeks, and supply shortages will develop soon thereafter (IDPs complained that shortages already exist). UNJLC said that the immediate needs for non-food items of newly-displaced people in Zam Zam camp (North Darfur) are being met, and they have not received reports of any other new displacements - NGOs in El Fasher spoke of recent displacements into Shangil Tobaya and Dar es Salaam. [Note: During a visit to Zam Zam on the 16th of March, Embassy witnessed 25 families just arriving at Zam Zam with all their personal belongings in tow. The IDPs said they were coming from Muhajariya where they were forced off their land by the janjaweed. End Note.] UNJLC has suffered a 50% loss in transportation and distribution capacity for NFIs with the INGO expulsions. All UN agencies emphasized that the true impact will be felt in 6-8 weeks, and expressed concern about being able to meet the needs in areas where only certain INGOs (that have now been expelled) had acceptance from the populations and could therefore gain access.

15. (SBU) The INGO-SC provided an update to donors on closeout procedures for expelled INGOs, stating that the GoS Humanitarian Affairs Commission (HAC) staff continue to demonstrate more restraint than in days past (Ref B). Nonetheless, 21 passports of expatriate staff are still being held by the GoS, questions of

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accountability and liability for seized assets remain unresolved, and HAC has not yet provided clear, consistent guidance on the issue of severance payments for local staff. Additionally, the INGO-SC described two reported incidents in which government agents or governmental NGO staff attempted to access IDP camps using INGO vehicles and t-shirts. OCHA Deputy Head of Office Antoine Gerard informed donors on March 16 that OCHA has provided lists of expelled INGOs' license plate numbers and agency logos to UNDSS, UNMIS and UNAMID and asked them report any mis-use of assets. Return of stolen assets or restitution for them, which is a key issue of concern for INGOs and donors, does not seem to be a priority issue for the UN.

16. (SBU) The unresolved issue of severance payments for INGO local staff continues to concern Post, as the GoS may use it as an excuse to further detain expat INGO staff seeking to depart Sudan (Ref B). The INGO-SC briefed donors on March 15 that HAC assured them that the Sudanese Labor Office would provide consistent guidance to all NGOs on the severance pay issue. OCHA Deputy Gerard briefed donors on March 16 that HAC Commissioner Hassabo informed him that HAC considers the Labor Law to be determining, and OCHA's interpretation of the Labor Law is that a six-month payment is not required. USAID subsequently learned from expelled NGOs that the guidance they had received that day in a meeting with the Labor Office was not conclusive. They are considering preparing a common position to provide to HAC and the Labor Office with a March 31 deadline for decision. To date, no INGOs have made any severance payments pending a determination on the legality of the extraordinary payments demanded by HAC.

17. (SBU) The remaining INGOs feel that the threat of expulsion is still active, and already limited trust in their GoS interlocutors has been deeply shaken. They even question whether HAC should continue to be their primary interlocutor or whether they should be dealing with National Security or the Office of the Presidency, who are actually calling the shots. The INGO-SC told donors that INGOs are looking for confidence-building measures from the GoS that would assure them they are still wanted in Sudan, and if so, which INGOs are welcome. Confidence-building measures cited by the INGO-SC range from the extremely simple to the highly unlikely. In the former category a meeting with Hassabo and all remaining INGOs has been requested by the Steering Committee and by OCHA, to which

Hassabo has not responded, as has been the growing trend in his behavior in dealing with both donors and INGOs. In the latter category, the INGO-SC has requested the lifting of the requirement to sign technical agreements before visas, work permits and travel permits are issued; fast-tracking of technical agreements, exemption of INGOs from Sudanese labor law, etc. INGOs feel that, at a minimum, there should be a meeting with Hassabo for all INGOs, and immediate approval of all pending visas and permits. D/SRSG and OCHA on March 16 told donors that they have requested in writing that the GoS tone down its anti-INGO rhetoric, as well as pushed for immediate HAC signature of technical agreements for remaining INGOs, and increased GoS control over banditry targeted at INGOs in Darfur.

18. (SBU) Comment: The President's announcement on March 16 that within one year, no international agencies will be allowed to provide 'relief' to Sudanese citizens, if true, suggests that very few confidence-building measures between the GoS and INGOs will be forthcoming. Indeed, if the GoS pushes forward with this tactic, together with the strangling off of access for assistance to the South (Ref D) and their apparent intention to refuse the return of INGOs or granting of special INGO access to the Three Areas (Ref A), the USG and other international actors may soon need to consider more dramatic options to continue providing assistance. If the Sudanese government or the UN cannot adequately provide for humanitarian needs in Sudan, we may not be far away from cross-border models along the lines of Operation Lifeline Sudan, which brought life-saving assistance to the Southern Sudanese from across the Kenyan border during the North-South civil war. Without a decrease in the rhetoric, a change in the poisonous atmosphere created by the regime, and some tangible and early confidence-building measures for INGOs, a wide-scale exodus of assistance providers, whether voluntary or involuntary, may not be far off. It will likely take several months to see whether the GOS intends to fully implement President Bashir's threat to "Sudanize" all assistance, or whether the regime will step back from the abyss now that the President has resumed venting his rage against the INGO's in particular and the international community in general. End comment.

FERNANDEZ